IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7265 OF 2006

Navi Mumbai Sports Association
through its Trustees ..Petitioner.
Vs.
Mr.G.H.Khatri, a sole proprietor of
Messrs. G.H.Khatri & Company ..Respondent.

Mr.Y.S.Jahagirdar with S.M.Shah, advs. for the Petitioner.

Mr.Tulzapurkar with Girish Kulkarni with Swati Deshpande, advs. for the Respondent.

CORAM : J.H.BHATIA, J.
DATE : SEPTEMBER 21, 2007.

P.C.:

1. Heard the learned counsel for the Parties.

2. With consent of the learned counsel for both the sides, the impugned order dated 7-10-2006 below Exhibit 59 and the order dated 19-10-2006 below Exhibit 64 in regular civil suit no.77 of 2004 passed by the Civil Judge Junior Division, Vashi are hereby set aside subject to payment of cost of Rs.10,000/- by the petitioner/plaintiff to the respondent/defendant within three weeks either directly to the party or by depositing the same with the trial Court. Parties shall appear before the trial Court on 15th October, 2007 and thereafter, the trial Court shall fix the date for

recording evidence on that day. The plaintiff shall remain present with witnesses including B.N.Deshmukh. The plaintiff shall not seek any adjournment unless it is absolutely necessary.

[J.H.BHATIA, J.]